

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In re

JEAN MARIE MITCHELL,

Debtor

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Chapter 13
Case No. 12-43198-HJB

**MOTION OF CHAPTER 13 TRUSTEE
FOR ORDER DISMISSING CASE
NOTICE OF BAR DATE OBJECTIONS/RESPONSES**

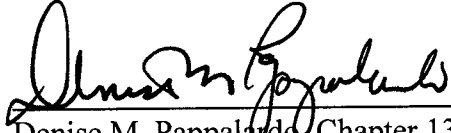
Now comes the Chapter 13 trustee (the "Trustee") and respectfully moves that this court enter an Order dismissing this case and in support thereof states as follows:

1. On August 31, 2012, the above-captioned debtor (the "Debtor") filed a petition for relief under Chapter 13 of the United States Bankruptcy Code.
2. On October 5, 2012, the Trustee convened and presided at a §341 meeting of creditors.
3. The Trustee was unable to recommend confirmation of the Debtor's Chapter 13 Plan.
4. To date, the Debtor has failed to achieve confirmation. An Objection by GMAC was filed on October 4, 2012. To date, eight (8) hearings on the Objection have been continued. The Debtor's failure to achieve confirmation is grounds for dismissal pursuant to 11 U.S.C. §1307(c)(1).

5. Notice is given that any responses and/or objections to this motion are to be filed within twenty-one (21) days of the date hereof. If no timely objections/responses are filed, the Court may act on this motion without further notice or hearing as provided by 11 U.S.C. §102(1)(B).

WHEREFORE, the Trustee respectfully requests that this Court enter an Order
dismissing this case.

Respectfully submitted,
Office of the Chapter 13 Trustee,

A handwritten signature in black ink, appearing to read "Denise M. Pappalardo", written over a horizontal line.

Denise M. Pappalardo, Chapter 13 Trustee
BBO # 553293

Joanne Zoto Psilos, Staff Attorney
BBO #556997

P.O. Box 16607
Worcester, MA 01601
(508) 791-3300

Dated: 8-30-13

**UNITED STATES BANKRUPTCY COURT
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JEAN MARIE MITCHELL,)


Debtor)

) Chapter 13
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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the within was sent to the Debtor, Debtor's counsel of record, and those parties who filed an appearance by first class mail, postage prepaid and/or electronically.

Dated: 8-30-13

/s/ Joanne Zoto Psilos 
Denise M. Pappalardo, BBO # 553293
Joanne Zoto Psilos, BBO # 556997
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of 4
UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re

JEAN MARIE MITCHELL,

Debtor

Chapter 13
Case No. 12-43198-HJB

ORDER DISMISSING CASE

The Motion of the Chapter 13 Trustee for Order dismissing case having come before this Court, no objections having been filed, due notice and an opportunity for a hearing having been given, and for cause shown, it is hereby:

ORDERED: that this Chapter 13 case is dismissed.

U.S. Bankruptcy Judge

Dated: _____